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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 1160/2019 & CRL.M.A. 8472/2019**

DR. MUKUL ADLAKHA

..... Petitioner

Through Mr Sachin Mittal, Mr Kuldeep Sharma,
Advocates.

versus

STATE & ANR.

..... Respondent

Through Mr Piyush Singhal, Advocate with
Mr Ashish Agarwal, ASC, State.
SI Pooja, P.S. Ranjit Nagar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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26.08.2019

1. The petitioner has filed the present petition praying that the FIR No. 0044/2019 dated 12.02.2019, registered under Sections 376 and 417 of the Indian Penal Code, 1860, at P.S. Ranjit Nagar be quashed.
2. The petitioner states that there was a consensual relationship between the petitioner and respondent no.2. The petitioner and respondent no.2 are both qualified medical doctors.
3. It is stated that the said parties had established a physical relationship on 10.04.2016 and at the material time, respondent no.2 was already married to another person. It is stated that the parties had a physical relationship for the last time on 06.05.2018.
4. The petitioner contends that both he and respondent no.2 are professionals and there was no question of the petitioner deceiving and

establishing any physical relationship on the promise of marriage. He also states that respondent no.2 was married at the material time and thus, the allegation of her being lured to have any relationship on the promise of marriage is, *ex facie*, untenable.

5. The learned counsel appearing for the State submits that the matter is now listed before the Trial Court for framing of charges. Concededly, all the aforesaid contentions, as sought to be raised in the present petition, are available to the petitioner and can be urged before the Trial Court at the time of hearing the matter for framing of charges.

6. At this stage, the learned counsel appearing for the petitioner seeks to withdraw the present petition with liberty to urge all contentions before the Trial Court and if aggrieved, file afresh.

7. The petition is dismissed as withdrawn with the aforesaid liberty. The pending application is also disposed of.

VIBHU BAKHRU, J

AUGUST 26, 2019

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